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ABSTRACT

Implemented in the 1970s, Alaska's system of "no fault" divorce creates economic hardships for women and children instead of providing greater family equity. The study site selected was Anchorage because its demographic profile generally reflects the statewide profile, necessary court records are accessible and more than one-half of all Alaskan divorces occur there. Interviews with 139 randomly selected men and women divorced in 1984-85 focused on economic decisions made at the point of divorce and economic outcomes over a year later. Respondents differed from the general population in that they were older and wealthier, and 67% were college graduates. About half the subjects had used the dissolution or "do it yourself" divorce procedure. After divorce, per capita income fell 33% for divorced women and their children, but rose 17% for divorced men. Although traditional divorce settlements seemingly divided marital property evenly, little attention was given to valuable career assets, such as pensions, which were usually retained entirely by husbands. Only 10% of settlements awarded alimony, and then only for a limited time. Mothers received sole custody of children in 58% of cases; 19% involved joint custody. Child support was awarded in 80% of divorces with minor children, but the average monthly payment of $191 per child fell below welfare eligibility standards, and only 23% of awards included cost of living increments. Only 58% of child support recipients received 29% of itemized marital property, and child support awards were 27% lower than in traditional cases. The paper includes 13 statistical tables and an appendix outlining the research methodology used. 7 references. (SV)

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FAMILY EQUITY AT ISSUE

A Study of the Economic Consequences of Divorce on Women and Children

October 1987

Written by Barbara Baker
Alaska Women's Commission

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SUMMARY OF GENERAL FINDINGS

During the 1970's social reformers sought to ease the acrimony of divorce and create more fairness and equity for the families involved. "No fault" divorce reform was introduced in many states including Alaska. In addition, Alaska developed a dissolution procedure that allows people to file without the expense of an attorney. Unfortunately, many of these changes have had unintended economic results for women. It now appears that women and children are suffering major financial inequities as a direct result of some of the changes in divorce law and procedure.

The most striking documentation of the "downward mobility" of women and children created by "no fault" divorce was in the state of California. Because of the seriousness of the findings there, in 1986 the Alaska Women's Commission undertook a study to determine if Alaskan women and children were suffering the same effects.

The study of divorce is important because so many people are affected by it. The divorce rate in Alaska is 63 percent compared to 46 percent nationally. More than 11,000 people are affected each year, 3,000 of them children. Even though the two-decade increase in the divorce rate seems to have peaked, each year thousands of Alaskan families are affected by divorce.

The study site chosen was Anchorage, where more than half of the state's divorces occur. A statistically valid sample drawn from all divorce and dissolution cases occurring in a one year period was analyzed.

General Findings

- In Alaska, divorce has substantially different economic consequences for women and men.

- Divorced women and their children experienced a 33 percent decline in per capita income resulting in a radical downward shift of their standard of living. The greatest relative deprivation was experienced by women and children of middle and upper middle class families.

- Divorced men, however, experienced an improvement in their standard of living as a result of a 17 percent rise in their per capita incomes.

- In many marriages the couple's major investments are in the education and career of the primary wage earner, usually the husband. Yet, the division of marital property often excludes career assets. Disregarding this property allows the major wage earner, usually the husband, to keep what are often the most valuable assets of the marriage.

- Fifty four percent of divorcing men had pensions compared to 33 percent of divorcing women. The median value of the husband's pension was worth more than 3 times that of the wife's ($27,500 and $7,500 respectively). Yet, only 20 percent of the couples in the study divided pensions.

- Other types of career assets such as life insurance, paid leave, professional licenses, medical and dental insurance were rarely included in the division of property, even though they were acquired during the marriage.

- Award of the family home was influenced by the presence of children. In 74 percent of the cases, the home was given to the parent having physical custody. Fathers with physical custody almost always got the home (93%) while mothers with custody were awarded the family home only 68 percent of the time.

- Among the families who moved following divorce were accounts of children traumatized by the dislocation. New schools and neighborhoods increased the disruption already generated from economic and emotional distress.

- In the absence of children, husbands were awarded the family home and mortgage more frequently (60%) than wives (40%).

- Alimony was awarded in only 10 percent of the divorces surveyed. For the few who received it, this safety net appears to be an illusion. Awards usually lasted for only one year and provided an average of only $500 a month, despite the fact that most who received it have no job, no other income or are of an age which makes it difficult to find paid work.

- Divorced mothers are the primary caretakers of children. Sole custody was awarded to mothers in 58 percent of the cases, while fathers received it in 18 percent of the cases. Joint custody was awarded 19 percent of the time.

- Child support was awarded in 80 percent of the divorces where minor children are present. However, the average amount per child is $191. This barely meets half the monthly cost of child care in Anchorge today. This figure also falls below the standard used to determine eligibility for welfare.

- Cost of living increments were included in only 23 percent of the child support awards. Without these adjustments, the purchasing power of the support award continually declines because of inflation and the increased costs associated with older children.

- Only 22 percent of child support awards were written beyond the age of majority although financial burdens such as education continue for several years beyond this point.

- Only 58 percent of the people in the survey received the full amount of child support awarded. This is consistent with data from the Child Support Enforcement Agency.

- Divorced men are rarely required to pay more than 15 percent of their pre-divorce income to support their children.

Impact of Dissolution

In Alaska people can end their marriage in two ways. Both are considered "no-fault." One, a divorce, usually involves attorneys' fees and court hearings, with the judge making a final decision in areas where the two parties cannot

agree. The other, a dissolution, can be done without attorneys, with minimal expense, and requires that both parties agree about every issue. About two-thirds of all Alaskan couples who end their marriages choose a dissolution.

Alaska is one of only 8 states that permit dissolution. It is also one of the most liberal in its provisions. Most other states do not permit dissolutions if there are minor children, if the marriage is one of long duration, or if the couple has property. Alaska law places no limitations on the use of dissolutions.

In addition to the study's general findings, it appears that women who choose dissolution suffer even more financial hardship than women who go through a divorce.

- Women who used the dissolution procedure received far less than half of the couples property. Wives received only 29 percent of the property in dissolutions. Women who used divorce received 50 percent of the marital property.

- Child support awards were lower when the dissolution procedure was used. Particularly hard hit were families with one child where average awards were 27 percent lower than in divorce.

Conclusion

The findings of this study together with a growing body of research suggest that the current legal system of divorce creates economic hardships for women and children instead of providing greater family equity. Inadequate and poorly enforced child support awards, the near absence of spousal support, and unequal division of marital property are creating a new class of poor.

Divorced women and their children face a precipitous drop in family income. Some face certain impoverishment. Women who choose the dissolution procedure suffer even more financial hardship than those who go through a divorce.

INTRODUCTION

Divorce and its economic implications have generated growing concern due to the escalating impoverishment of women and their families. With the advent of divorce reform in the 1970's which was ostensibly aimed at eliminating gender bias in the law, the feminization of poverty was also emerging as a growing problem in the nation. Recent studies suggest that these reforms to divorce law designed to treat men and women equally have instead fostered economic inequity for many women and children. Weitzman's ten year study of California divorces revealed that divorced women and their minor children experienced a 73 percent decline in their standard of living in the first year after divorce. Their former husbands, however, experienced a 42 percent rise in their standard of living. Wishik's study of Vermont divorces revealed even further disparity. 1/

Weitzman suggests that reform of divorce laws from a "fault" to "no fault" basis have deprived divorced women and minor children of legal and financial protections formerly available to them. She also contends that all states which have "no fault" divorce laws (Alaska is one of them) suffer from similar outcomes of economic inequity.

Such assertions require further examination since so many people are affected by divorce. Each year more than 11,000 Alaskans are touched by divorce, 3,000 of them children. The divorce rate in Alaska exceeds that of the nation (63% compared to 46%).

Laws that guide the outcome of divorce are regulated state by state through statute and state court interpretation. Information about the economic impact of divorce upon Alaskans is necessary to judge whether our laws and legal system operate fairly and treat all its citizens equitably.

As a part of its continuing research on the status of women, the Alaska Women's Commission embarked upon an exploratory study of divorce in Alaska to determine whether Alaskan women and their families also suffer downward mobility from "no fault" divorce laws. The research assessed families' economic decisions at the time of divorce and the outcome of those decisions on postdivorce lives. This analysis identifies inequities which result from present laws and legal practices.

1/ L. Weitzman, The Divorce Revolution, 1985 and Wishik, "Economics of Divorce: An Exploratory Study," Family Law Quarterly, volume 20, number 1 (1986).

SCOPE OF STUDY

The process of divorce involves many facets - the parties who are divorcing, the type of legal procedure they use, their understanding of the law, the advice of attorneys (if they are consulted) and the courts and their interpretation of the law. Each affects the final economic outcome of divorce and is worthy of study to gain a comprehensive portrait of a complex issue.

However, time constraints and a limited budget required the prioritization of factors to be studied in this project. In the end, it is the divorced couple who are most acutely aware of and affected by the result of these processes. Therefore, this research focuses on the economic decisions made by divorced people and their perceptions of how the process affected their economic decisions and outcomes. Such analysis is an important key to understanding the relative influence of each aspect, guiding us toward needed reforms or the need for additional research.

The research is based upon interviews of people who terminated their marriages between July 1, 1984 and June 30, 1985. This period was selected to allow for a lapse of approximately one year since the close of the divorce case. Anchorage was selected as the study area where over one-half of all Alaskan divorces occur annually. 2/

Anchorage was chosen as the study area because its demographic profile generally reflects the statewide profile. Furthermore, access to necessary court records was easily obtainable and a pool of trained volunteers were available to assist on the project.

A sample containing an equal number of men and women was randomly selected from court records. One hundred thirty nine interviews were conducted with approximately an equal number of men and women interviewed. About one half of the participants interviewed utilized the traditional divorce process while the other utilized the dissolution or "do-it-yourself divorce" procedure.

The study was designed as an exploratory examination of factors influencing the economic outcomes of divorce. While the subject matter tended to attract respondents who were older, better educated and wealthier than the general population of Anchorage, the results are internally valid and provide the first economic data on Alaskan divorces.

The study focuses on mens' and womens' economic decisions made at the point of divorce - decisions about property, children and support. It also examines the outcomes that resulted from these decisions more than a year later. The research further examines whether there was any difference in the economic position of persons who utilized the dissolution procedure from those who proceeded through the traditional divorce procedure.

2/ Alaska Department of Health and Social Services, Division of Vital Records, 1984.

THE LEGAL PROCESS

Divorce is a legal action. To end the marriage contract, parties must determine the type of divorce procedure (dissolution or traditional divorce) that is most appropriate to the circumstances surrounding their marriage, i.e. the presence of minor children, length of marriage, the amount of property and self sufficiency of the parties. While both of Alaska's divorce laws are "no fault", one, a traditional divorce, follows strict procedural rules. It usually involves attorneys, and judges make the final decision in areas where the parties cannot agree. The other, a dissolution, requires that the two parties arrive at complete agreement on every issue and that they file together unless one spouse cannot be located. This procedure can be done without attorneys, thus can be relatively inexpensive. Although dissolution is a relatively new concept (enacted in 1976), about two-thirds of all Alaskan divorces are terminated through this process. 3/

The majority of survey respondents considered themselves well informed about the divorce process and procedure they utilized. Eighty percent of the respondents who went through the traditional divorce procedure indicated that they understood their rights and duties in such areas as property division, spousal maintenance (alimony), child support and child custody. Similarly, 76 percent of the respondents who proceeded through dissolution, found the court prepared instructions helpful. Yet, over half of the respondents who proceeded through the dissolution process indicated that viewing a movie which explained how to prepare dissolution forms and provided information on such areas as property, alimony, child support and child custody would have been very useful. Anecdotal remarks suggest that a movie might have prevented the need for attorneys in some cases while others indicated that misunderstandings regarding property and support might have been avoided.

Nearly all agreements (95%) were negotiated between the parties or through their attorneys prior to the final hearing regardless of the procedure (divorce or dissolution) according to the study's findings. As a matter of law, dissolution cases may not be contested, thus only traditional divorce procedures are included in the five percent. The influence and use of attorneys varied based upon the procedure selected (see Table 1). Traditional divorces relied almost exclusively on the use of attorneys to reach settlement. Dissolutions were designed to be "attorney free." Yet, 20 percent of the respondents consulted with attorneys in order to reach agreement. This may indicate that dissolutions were used for cases more complex than what legislative drafters initially intended.

3/ Alaska State Court System, Superior Courts Domestic Relations Case Filings, fiscal year 1986.

TABLE I - METHOD OF AGREEMENT BY PROCEDURE UTILIZED

Method	Divorce (N=72)	Dissolution (N=67)	Total (N=139)
Between Spouses/Spouse Alone	7%	76%	40%
Your Attorney & Spouse Alone	43	16	31
Your Attorney & Spouse's Attorney	38	4	21
Mediator	1	3	3
Judge	11	-	5

Alaska is one of only eight states that have a dissolution law.4/ It is also one of the most liberal in its provisions. Most states do not permit dissolutions if there are minor children of the marriage and some will not allow them if there is ownership of any real property or if the couple has been married for a long duration.

Alaska law places no limitations on its use. The parties must simply agree to every issue. The respondents' decision to choose dissolution and seek legal advice may be an indication of the costs, both financial and emotional associated with a traditional divorce, but a recognition of the complexity surrounding issues of children, property and support.

The methods used by respondents to reach agreement were very similar for women and men. Women, however, tend to utilize attorneys less often (16%) than men (26%) when seeking a dissolution.

In court, the presence of counsel was similar in dissolution cases but quite different for men and women who proceeded through the traditional divorce procedure (see Table 2). Women were represented by counsel more frequently than men. In 33 percent of the cases, women were represented by attorneys while their husband had no attorney. Men, on the other hand were represented with attorneys when the wife had no counsel in only 18 percent of the cases. Husbands and wives were both represented by counsel in over one-third of the cases. Furthermore, women as compared to men were more likely to be present at the court hearing regardless of the procedure utilized.

4/ "1985 Survey of American Family Law," The Family Law Reporter, #3, Volume II, No. 26 (1985).

TABLE 2 - COURT APPEARANCE BY PROCEDURE UTILIZED

Present in Court	Divorce (N=72)	Dissolution (N=65)
Husband alone	4%	21%
Wife alone	6	21
Husband and Wife	-	46
Wife's Attorney	33	3
Husband's Attorney	18	5
Wife's Attorney and Husband's Attorney	38	3
Wife	74%	83%
Husband	54	76

The ability to support one's self and the family and pay for legal expenses while proceeding through the divorce process is necessary if parties are to reach equitable agreements. Most respondents in the survey relied upon their own resources for support and legal expenses. In only 16 percent of the cases, interim support was awarded. However, another 8 percent indicated they were unaware that interim support could be considered.

The pattern of attorney fee payments was similar to interim support. Only 15 percent indicated that the other spouse paid any portion of the respondent's attorney fees while 85 percent paid for their own legal counsel. Women with minor children and older homemakers were the most frequent recipients of interim support and awards of attorney fees.

The adequacy of support is also critical to the equity of agreements reached. Responses to various questions in the survey suggest that economic pressure was a factor in the divorce process. Respondents were asked whether they received the interim support they requested. Of the 16 percent who requested support, only one-third indicated they received what they had asked for while the remaining received only part or nothing at all. Furthermore, when asked whether there was any undue pressure applied in reaching the divorce settlement, one-half of all women surveyed indicated that there was pressure and listed economic factors such as nonsupport of the children until settlement of the divorce was reached.

While the divorce process seems vulnerable to pressures from various ranks, respondents were generally satisfied with their legal representation and court proceedings (see Table 3). Approximately 70 percent of the respondents who sought legal counsel were satisfied with the services their attorney provided. Satisfaction ranked higher among men than women.

Criticisms raised about attorneys were gender specific. Women respondents most frequently commented they were not adequately informed by their attorneys on short and long term financial issues relating to children, property and debt. Men commented attorneys were not strong advocates on matters of child custody. They also frequently mentioned that attorney fees were excessive.

Treatment by the court was considered fair among both men and women (84% and 85% respectively). Critical remarks were few but again were gender specific. Men commented that the court was biased in favor of women obtaining child custody under either procedure. Women who went through dissolution remarked that the court should have probed to insure fairness in agreements on children and property.

TABLE 3 - LEGAL PROCESS SATISFACTION

Component	Male	Female	Total
Attorney (91)			
Yes	79%	65%	71%
No	21	35	29
Court (139)			
Yes	85%	84%	84%
No	15	16	16

A shared objective among many people who commented on the legal process was the importance of making informed decisions that were fair and equitable. Attorneys have customarily provided this service. Yet many cannot afford attorneys. Some suggested other systems should be incorporated into the process. These include the development of educational materials about the divorce process in the form of a video and written materials; and the institution of a "waiting period" in order to gain both information and perspective about divorce. Others suggested the use of counselors to provide emotional support during the difficult time of divorce. Counseling was also suggested for specific areas regarding finance and children.

PROPERTY

Marital property must be identified, valued and divided at the time of divorce. Typically marital property has included income from wages and salaries, interest, and all other income earned during the marriage as well as property purchased with that income like automobiles, homes and furniture. Some career assets are also recognized as marital property. Pension and retirement accounts are the most typical of these assets.

Value and Ownership of Property

The average divorcing couple in the survey had acquired a moderate amount of marital property valued in the moderate range. Over half of the couples had major assets that included a family home and pension. Most couples also had other tangible assets such as furniture, automobiles and some savings in the form of bank accounts, stocks or bonds.

Table 4 illustrates the value of property owned by divorcing couples. Thirteen percent of the divorcing couples had property worth less than $10,000 net. Another 27 percent had less than $50,000. Overall, the median net worth of divorcing families was $72,000.

TABLE 4 - TOTAL VALUE OF PROPERTY OWNED BY DIVORCING COUPLES

	Net Worth of Assets (including debts)		Gross Value of Assets (not including debts)	
Property Value	Percentage	Cumulative Percentage	Percentage	Cumulative Percentage
Negative Value	1%	1%	-	-
Less than $ 10,000	12	13	10%	10%
$ 10,000 - 29,999	15	28	9	19
$ 30,000 - 49,999	12	40	9	28
$ 50,000 - 99,999	25	65	6	34
$100,000 - 149,999	13	78	17	51
$150,000 - 199,999	4	82	14	65
$200,000 - 299,999	9	91	14	79
$300,000 - 499,999	2	93	12	91
$500,000 +	6	99	9	100
	Median $ 72,000		Median $142,550	
	Mean 126,259		Mean 216,827	

A review of the property communally owned by respondents (shown in Table 5) indicates that the family home is the major community asset for the majority (76%) of the divorcing couples. The median equity was $40,000. Many divorcing couples (30%) also had other property of considerable value.

More than half of the divorcing couples had acquired pensions whose value was strongly influenced by gender. Businesses are also a valuable asset but were owned by only 9 percent of the respondents.

Other property items frequently owned by divorcing couples had a relatively low to moderate value. While most owned household furniture (72%) and automobiles (59%), the median value of both of these assets was only $5,000. Other transportation vehicles such as trucks, boats and airplanes were also owned by many couples (30%) but only averaged $3,000 in value. However, nearly half (48%) of the divorcing couples had a median savings of $6,250.

TABLE 5 - OWNERSHIP AND VALUE OF ASSETS

Type of Property	Percentage of Couples Owning Asset	Median Net Value
Furniture	72%	$5,000
Cars	59	5,000
Other trans. vehicles	30	3,000
Money	48	6,250
Family home	76	40,000
Other real estate	30	23,000
Husband's pension	54	27,500
Wife's pension	33	7,500
Business	9	30,000
Other property	17	12,000

Pension Ownership

The pattern of pension ownership was significantly different between husbands and wives. Husbands were much more likely than wives to have a retirement account or pension as shown in Table 5. Fifty-four percent of the divorcing men had pensions compared to 33 percent of the divorcing women. The acquisition of pensions correlates to income the same for both husbands and wives i.e.; the higher the predivorce income the more likely they were to have acquired a pension. However, the value of pensions was distinctly different for men and women. The median value of the husband's pension was worth over three times that of the wife's ($27,500 and $7,500 respectively).

Value of Property by Family Income

Predictably, the value of community property increased with family income. Couples with family income under $24,000 a year had on average less than $5,000 net worth of community property. This increased to $32,500 for couples with family incomes between $24,000 to $36,000 and to more than $200,000 for couples with yearly incomes of $66,000 or more.

Other studies suggest that the length of marriage also influences the value of property since people who were married longer are older, usually have more

employment experience, thus more opportunity to accumulate wealth and property. Surprisingly, data from this survey does not support such a relationship. Property values showed no consistent progression of worth as the length of the marriage rose.

Table 6 shows the relationships between family income and property. It also illustrates the relatively low value of property when compared to family income of most divorcing couples. Families having a median income of $15,300 could earn the net value of their assets in less than a year and for the majority of families surveyed it would take less than two years to earn as much as their property is worth.

TABLE 6 - VALUE OF PROPERTY BY FAMILY INCOME

Family Income (yearly)	Median Income* (in group)	Value of Property: Net Value of Assets* (including debts)	Value of Property: Gross Value of Assets* (excluding debt)
Less than $24,000	$15,300	$ 5,000	$ 6,500
$24,000 - 35,999	19,200	32,500	89,500
$36,000 - 43,199	39,000	51,000	136,000
$43,200 - 55,199	49,000	63,000	135,500
$55,200 - 65,999	60,600	69,500	142,500
$66,000 or more	88,700	202,400	375,500

* Median value rounded to nearest $100.

The ownership and value of assets differs to some degree from Weitzman's findings. Alaskan respondents had more assets, higher income and may have a greater attachment to the labor force. Weitzman found that only 46 percent of the couples owned a family home and 11 percent other real estate. Twenty four percent of the husbands and only 11 percent of the wives had pensions. Furthermore, in Weitzman's study the value of all assets were quite low when compared with family income. The average divorcing family could earn more money in one year than the value of their property. Despite these differences the conclusion is the same. The spouses' earning ability is usually worth much more than the tangible assets of the marriage. At the time of divorce, property is divided once, but earnings continue to generate income into the future. Thus, earnings have a greater cumulative value.

Property Division

Alaska is an equitable distribution state. When parties divorce the property acquired during marriage is to be divided fairly no matter which spouse has title to it. Property acquired before the marriage may also be included if it is necessary to make the division of property fair. Alaska's "no fault" law says that in dividing property, one cannot look to the fault of either party in deciding how the property is to be divided, but rather one must look at the overall fairness.

The amount of property and family income did not generally appear to influence the type of legal procedure used in terminating the marriage. The data showed an equal likelihood of either a divorce or dissolution, except in cases of high family income (over $67,000/year) or where there were substantial assets (over $100,000). Under these conditions, the majority of cases utilized the traditional divorce procedure.

Examining the division of property (shown in Table 7) the data suggests a nearly equal division (when based upon net value) with wives receiving slightly less than half (43%). The data also implies that the disposition of property varied based upon the type of property. Family homes and automobiles were equally divided between husbands and wives, while pensions were infrequently divided. Some type of property appeared to be linked to gender. Wives received the majority of home furnishings and money while husbands were more likely to be awarded major assets like the family business and other real estate as well as other assets like recreational vehicles and miscellaneous property.

TABLE 7 - PROPERTY DIVISION BY LEGAL PROCEDURE UTILIZED IN DIVORCE

	Total Division of Property (based upon value excluding debts)		Division of Property by Dissolution		Division of Property by Divorce	
	Husband	Wife	Husband	Wife	Husband	Wife
Furniture	38%	62%	40%	60%	38%	62%
Cars	45	55	42	58	48	52
Other Vehicles	75	25	80	20	72	28
Money	38	62	69	21	27	73
Family Home	49	51	50	50	48	52
Other Real Estate	68	32	77	23	60	40
Husband's Pension	89	11	89	11	92	8
Wife's Pension	2	98	4	96	1	99
Business	94	6	87	13	96	4
Other Property	64	36	71	29	60	40
All property (excluding debts)	61%	39%	64%	36%	61%	39%
All property (net value)	57%	43%	71%	29%	50%	50%

Upon closer examination of the total distribution of property and debt, wives who utilized the dissolution procedure were more likely to receive less property and more debt than wives who went through the traditional divorce process. Wives received only 29 percent of the property's net value when utilizing the dissolution procedure as compared to 50 percent for women who proceeded through a traditional divorce.

A Closer Look at the Family Home

Although the value of the family home appears to be divided equally among husbands and wives, the data suggests that the disposition of the family home may be influenced by the presence of children. In 74 percent of the cases, award of the family home was given to the parent having physical custody of minor children. Women were more likely to have physical custody yet they were not as likely as men to be awarded the home. Women with physical custody were awarded the home only 68 percent of the time as compared to men who nearly always got the home when they had physical custody (93%). Financial responsibility for the mortgage may account for this disparity since 92 percent of those awarded the home assumed full responsibility for the remaining debt. However, other factors may also influence this such as ability to qualify for refinancing or access to adequate legal information or representation.

The importance of the family home to children was demonstrated in comments made by respondents who moved (nearly all were women). Repeatedly, they indicated that children were further traumatised by the dislocation. Forced moves from schools and neighborhoods caused increased disruption during a period already laden with economic and emotional distress.

Disposition of the family home among couples without minor children suggests that men were more likely to obtain ownership than women. Sixty percent of the homes were awarded to husbands while wives received 40 percent. The type of legal procedure utilized to terminate the marriage also appears to have some bearing on the outcome. Husbands and wives were each as likely to be awarded the home in a traditional divorce process while husbands were twice as likely to be awarded the home when proceeding through the dissolution process. The financial burden of meeting monthly mortgage payments may have influenced the award of the home since responsibility for payment of the remaining debt followed the pattern of awards of the family home.

Very few couples retained joint ownership of the family home following divorce. Among the 12 percent who retained joint ownership, nearly all had minor children and had orders to sell the family home in order to divide the equity.

A Closer Look at Pensions

With regard to the division of pensions, the worker typically retained ownership and its full value since it was often excluded from property division. Only 20 percent traded other property of equal value for it, based upon survey findings. When asked why the pension was not divided, respondents often commented that the pension followed the worker and was therefore indivisible. However, according to Alaska law, pensions or their value are divisible under certain conditions.

Many others responded that they did not divide their pensions because both had a pension. But less than half of all respondents with pensions in the marriage knew the value of their's or their spouse's. The valuing of pensions was far more likely for those who proceeded through a traditional divorce process than through dissolution. Fifty-four percent of the pensions were valued under a traditional divorce as compared to only 33 percent for

dissolution. The presence of attorneys in most traditional divorce cases may account for this finding. Yet, even when controlling for their presence only half the respondents had valued their pensions.

Omission of pensions is alarming since pensions are often one of the major assets of the marriage. Without considering them property that can be divided and knowing their value, people cannot obtain an equitable division of the marital property. It is important to remember that the husband's pension is typically worth more than three times that of the wife's, and that husbands are more likely to have pensions than wives.

The division of pensions was not affected by the legal procedure utilized. According to the study's findings, it is equally unlikely that a pension will be divided under a traditional divorce or a dissolution.

Other Career Assets

While pensions are perhaps the most commonly recognized career asset, there are other tangible and intangible assets which are acquired as a part of a person's career. These include such things as life insurance; insurance for disability, medical, dental, and hospital coverage; paid sick leave and vacation benefits; education; a professional license; the goodwill of business and entitlements to a business' goods and services. Weitzman asserts in her study that all career assets acquired during the marriage should be treated (like pensions and retirement benefits) as marital property to be divided upon divorce. To disregard these assets as marital property ignores a major source of wealth for most divorcing families - the total value of their careers.

There is very little evidence from the study to suggest that these other career assets were recognized or considered as divisible while determining the value of marital property. For example, most respondents who were covered by medical insurance through their spouse's employment lost their insurance or paid for the coverage themselves without an exchange of property to cover the expense. And only three respondents indicated that life insurance policies were divided. Furthermore, one can deduce that if pension and retirement plans (which are generally recognized as divisible) are excluded from the marital property, other career assets are even less likely to be divided.

Summary

A cursory examination of property would conclude that most divorcing couples in the survey had a moderate amount and value of marital property which was equally divided. Upon closer examination, however a different pattern emerges. The exclusion of career assets both tangible and intangible suggests that the marital property is considerably undervalued and unevenly distributed since the wage earner leaves the marriage with most of these assets. Husbands typically benefit by this since their career assets are usually worth more than their wives. Furthermore based upon the legal procedure used in terminating the marriage, even greater disparity in the distribution of property may occur. Wives receive on average only 29 percent of the property when utilizing the dissolution procedure as compared to 50 percent when proceeding through the traditional divorce process.

CHILDREN

More than 3,000 Alaskan children are affected by divorce each year. Legal decisions made on the custody, care and support of these children have long term consequences for the social and economic well being of both parents and children.

A profile of survey respondents indicates that 57 percent had minor children present in the marriage at the time of divorce. This is slightly higher than the general population of divorces in which 50.3 percent had minor children present at the time of divorce. The surveyed families used the traditional divorce procedure more frequently than dissolution. Sixty-four percent of the families selected the traditional divorce procedure as compared to 36 percent who selected dissolution.

Attorneys were prese ' in 72 percent of the cases where there were minor children in the marriage. Nearly all who used the traditional divorce process utilized attorneys while only a third of the cases involving dissolution had attorneys present.

Most custody and support awards were preagreed to. The court intervened in only five percent of the cases.

Child Custody

Alaska law specifically states that neither parent is entitled to preference in determining custody of a child. The court must determine custody in accordance with the best interests of the child, considering all relevant factors. When it is in the child's best interests, the court may award shared or joint custody to the parents.

The pattern of custody awards from the survey suggest that mothers requested and were awarded custody more frequently than fathers. In 58 percent of the cases, mother's requested and were awarded physical custody of minor children as compared to 18 percent for fathers (as shown in Table 8). Joint physical custody was requested in only 11 percent of the cases, but awarded to 19 percent. Judges appeared reluctant to award split custody and other types of unusual physical custody in favor of joint custody arrangements.

TABLE 8 - CHILD CUSTODY

	Physical Custody		Legal Custody	
	Request (N=80)	Award (N=79)	Request (N=79)	Award (N=76)
Mother	58%	58%	51%	51%
Father	18	18	18	21
Joint	12	19	24	22
Split and other	11	5	7	5
Total	100%	100%	100%	100%
Total to Father	30%	37%	42%	43%

An interesting observation that requires greater input to validate statistically was that the older the child the more likely the mother will have physical custody (see Table 9). Seventy-one percent of the children ages 6-18 were awarded to the mother as compared to 58 percent for younger children. Joint custody, on the other hand was almost twice as likely for younger children than older children.

TABLE 9 - PHYSICAL CUSTODY AWARDS BY AGE OF YOUNGEST CHILD

	Ages 0-5 (N=45)	Ages 6-18 (N=34)
Mother	58%	71%
Father	18	12
Joint	23	12
Other	-	5
Total	99%	100%

These results are contrary to the findings of Weitzman and Wishik. Both researchers found that younger children rather than older children were more likely to be awarded to the mother.

Responsibility for determining the child's education, religion and welfare through award of legal custody follows the same general pattern as physical custody where the majority of awards go to the mother. However, fathers' participation was more strongly indicated (refer to Table 8). In 43 percent of the cases, fathers were awarded either sole or joint legal custody as compared to 37 percent for physical custody.

Custody awards to fathers are much higher than in studies conducted by Weitzman and Wishik. Weitzman's study indicated that only between 9-13 percent of the awards involved fathers either in sole or joint physical custody and between 11-25 percent for legal custody. Wishik's study revealed 16 percent for physical custody.

Weitzman also concluded that the no-fault law had no impact on the requests or outcomes of physical custody awards. Awards to mothers after repeal of the maternal presumption remained about the same. Historical data on physical custody awards in Alaska prior to the repeal of maternal presumption were not available for the purposes of this study. Therefore, the impact of no-fault on custody award outcomes could not be examined.

Physical custody awards based upon legal procedure are interesting to note but require a larger data set to test their statistical validity. As Table 10 shows, mothers were awarded custody nearly 70 percent of the time in a traditonal divorce process and only 52 percent in dissolutions. Husband and joint custody awards occur more frequently under a dissolution procedure than a traditional divorce.

TABLE 10 - PHYSICAL CUSTODY BY LEGAL PROCEDURE

	Divorce (N=50)	Dissolution (N=29)
Mother	70%	52%
Father	10	24
Joint	16	21
Other	4	3
Total	100%	100%

Visitation Arrangements

Reasonable visitation rights were awarded in 63 percent of the cases while the remaining had specific arrangements stipulated. The majority of respondents, 84 percent, indicated that their visitation arrangements required no modification. Only a few commented on visitation problems. They included a lack of access to children by the non-custodial parent and failure of non-custodial parent to visit children.

Child Support

Both parents have an equal duty to support minor children even though a divorce has occured. In theory, support is determined by deciding what it costs to provide for the children. That amount is then divided between the parents based upon the parents financial ability to pay.

In the survey, child support was awarded in 80 percent of the divorces with minor children. The award level is higher than the national average of 58 percent. However, the national figure includes only women custodians awarded support. While the data set on non-awards is too small to validate statistically, it is worth noting that non-awards were higher among cases that utilized the dissolution process (25%) as compared to traditional divorce (18%) and that the majority of non-awards went to joint physical custody arrangements or to fathers who had physical custody.

Survey findings indicate that the mean monthly child support award per child was $191 (see Table 11), an amount that barely meets half the monthly cost of day care for one child in Anchorage. 5/ The data also suggests that the amount of award may be influenced by the procedure utilized to terminate the marriage. A gap exists in the mean amount awarded with dissolution cases receiving lower awards. The discrepancy is most prominent in families with one child (which accounts for 64 percent of the surveyed families with children). A $63 gap separates the amount awarded dissolution cases from traditional divorce cases. The absense of legal advice probably accounts for part of this gap in the amounts of support awarded. Only one third of the dissolution cases used attorneys.

5/ Average monthly cost of day care for pre-school age children in Anchorage is $350, according to 1987 data from the Department of Community and Regional Affairs, Day Care Assistance Program.

TABLE 11 - MEAN MONTHLY CHILD SUPPORT AWARDS BY LEGAL PROCEDURE

	Total	Dissolution	Divorce
All children (N=118)	$191	$178	$199
1 Child (N=51)	$214	$172	$235

However, what is most astounding about the average monthly amount of child support awarded is that even with the involvement of attorneys, the amount falls below the AFDC need standard of $264.00 per month (a standard used to determine eligibility of one person for welfare assistance).

The amount of child support awarded is further eroded by the rising cost of living experienced in Anchorage. Only 23 percent had included automatic cost of living increments in support decrees. Without these adjustments the purchasing power of the support award continually declines.

Compounding the inflationary factor are the increased costs associated with children growing older. According to economist, Philip Eden, the amount spent for a child seventeen years old is almost three and a half times the amount spent at age one.6/ None of the support decrees included in the survey attempted to adjust support orders based upon the age of the child.

Furthermore, while most child support ends when a child is eighteen, the financial burden frequently continues or increases for the custodial parent. As children continue their education or work toward establishing themselves in the marketplace, continued monetary support is often required from the custodial parent. Yet, very few support decrees (22%) were written beyond the age of majority and even fewer provided an allowance for the increased costs of an education.

Another way to examine the modest amount of child support awarded is to compare it to income resources available for the payment of support. Since wives are usually caretakers of children, it is therefore appropriate to examine the husband's ability to pay support. On average, two-thirds of the family income is earned by the husband.

Survey findings suggest that the husband's income is, in general, inversely related to the amount of child support awarded. As Table 12 suggests, the higher the income of the husband, the greater the disparity in the percentage of income ordered for child support. Men with incomes between $20,000 to $30,000/yr. use over twice as much of their income for child support than do men who have incomes of over $40,000.

6/ Philip Eden "How Inflation Flaunts the Court's Orders," Family Advocate Vol. 1 no. 4, Spring 1979.

TABLE 12 - CHILD SUPPORT AND SPOUSAL MAINTENANCE AS A PERCENTAGE OF HUSBAND'S PREDIVORCE INCOME.

	Percentage of Husbands Income Awarded for Support		
Husband's Income	Child Support Ordered	Spousal Maintenance Ordered	Total
Under $20,000 (N=17)	11%	-	11%
$20,000-29,000 (N=14)	15	-	15
$30,000-39,999 (N=17)	12	2%	14
$40,000 + (N=22)	6	2	8

What is most significant, however, is that despite income levels divorced men were rarely asked to pay more than 15 percent of their income to support their children, even after including spousal support. Weitzman found similar inverse relationships of husband's income to support but, the percentage of support was greater although rarely over 30 percent of the husband's income.

In 1984, a governor's commission on child support enforcement was established to examine a variety of issues which included low support awards. They concluded that Alaska's system for determining child support lacked an objective standard. The commission recommended a presumptive use formula to determine the amount of support awarded based upon a percentage of the incomes of each parent that would normally be used for the support of children. The formula requires that 20 percent of the parents' adjusted income will be set aside for support of one child with additional percentage increments for successive children. In August, 1987 the Supreme Court adopted these guidelines as part of the Rules of the Court (Civil Rule 90.3, Child Support Awards).

The establishment of a standard will have a significant and positive impact on the monetary amounts awarded. For example, the typical surveyed family with one child would see an increase in child support, in some cases doubling the average amount previously awarded from $250 to $441. 7/

Although the Supreme Court's action will have the immediate result of increasing the amount of child support awarded, it does not address the other part of the equation that forces many women and children into a significantly lower standard of living - the nonpayment of child support.

7/ Calculations are based upon mother having physical custody, with both parents working and having a combined income of $54,000/yr.

Survey findings suggest that only about half (58%) received the child support they were awarded and another 18 percent received only a part of the award. These figures are consistent with statewide data on the collection of child support. 8/

The survey also found that the median amount of child support due was $1,000.00, equalling almost half the annual average amount of child support awarded. Furthermore, among those who do pay, many had no predictable pattern of payment, thus creating uncertainty about whether it will be paid and uncertainty about whether monthly expenses associated with raising children could be met.

The majority (70%) of respondents who have not received the child support due them had taken some type of formal action. Most have filed with the Alaska Child Support Enforcement Agency while a few had pursued direct court action. The result of these actions has been very positive. Through garnishment of wages and other earnings or transfering of payments through the Child Support Enforcement Agency, most respondents were now receiving some level of child support. The remainder (22%) were pending action by Child Support Enforcement Agency or were not receiving payment because the ex-spouse was unemployed or unreachable.

Summary

Women are the primary caretakers of children after divorce. Although child support was awarded most of the time, the award amounts neither reflect an ability to pay nor the real costs associated with raising children. Caretakers and their children are expected to survive on a level of support that falls below the income criteria for welfare assistance. This amount may be further diminished by the choice of legal procedure utilized to terminate the marriage. Recently enacted child support guidelines will modify this condition. However inflation, rising expenses associated with older children and the de facto responsibility for support of college age children will continue to drive down the standard of living of most postdivorce families. Further eroding the economic condition of families is the non-compliance of child support. Only half received all support due them. Many have taken formal action to collect past due child support. Yet, the average amount due is equal to half the annual average award of child support.

8/ In federal FY86, the non-AFDC percentage of unpaid child support awards was 59 percent in Alaska and 51.8 percent for the United States. The non-AFDC figure is used because the survey sample contains very few AFDC recipients. The overall average for Alaska is 53.1 percent and 45.8 percent for the United States.

ALIMONY - SPOUSAL MAINTENANCE

Alaska law provides that either spouse may be ordered to provide support for the other following divorce. However, there must be evidence in most cases of economic necessity before spousal maintenance is awarded by the court. Older homemakers in marriages of long duration, women with full-time responsibility for young children and women in transition are examples of groups of women who may have financial need because of their inability to be mainstreamed easily into the job market and to compete equally.

Alimony or spousal maintenance, as it is referred to in Alaska law, was awarded in a very small percentage of divorces, according to the study's findings. Only 10 percent of the respondents interviewed indicated that spousal maintenance awards were included in divorce settlements. And all awards were made to women. This is similar to national data that cited 14 percent of divorced wives were awarded alimony. 9/

Maintenance awards were requested and awarded in similar proportions under both types of legal procedures (dissolution and divorce). About 11 percent requested spousal maintenance. Eighty-seven percent of the requests were awarded.

Women married for twenty years or longer were twice as likely to receive spousal maintenance than women married for shorter durations, according to the study's findings. However, only 24 percent of the women married for at least twenty years requested and received maintenance awards.

The data also suggests that the majority of maintenance awards were of a short duration, median of one year. Similar findings were reached in Weitzman's research although the duration of alimony averaged about two years.

Referred to as transitional alimony, the theory behind short duration awards is that most recipients have the ability to become self supporting in a short period of time. 10/ Transitional alimony gives the person time - a "safety net" - in which to find work or to seek training that leads to career opportunities. However, short duration awards of only one year run counter to an acknowledgment of the actual time required to train and find gainful employment. Most vocational and professional programs could not be completed in the length of time spousal maintenance is provided for. Hardest hit by this contradiction are homemakers who have little work experience outside the home. They lack the time to train and the job experience necessary to compete actively. Older women must also face the potential discrimination of ageism.

9/ U.S. Bureau of Census, "Child Support and Alimony: 1981," Current Population Reports Series P-23 No. 124, May 1983.

10/ L. Weitzman, The Divorce Revolution, 1985 pp 164-165.

This "safety net" becomes even more precarious since maintenance award amounts were low. According to survey findings, the median monthly award was only $500.00. Nearly half of the women receiving spousal maintenance have no other income (except for child support in some cases). On average, women receiving spousal maintenance saw a 60 percent per capita decline in income following divorce.

Summary

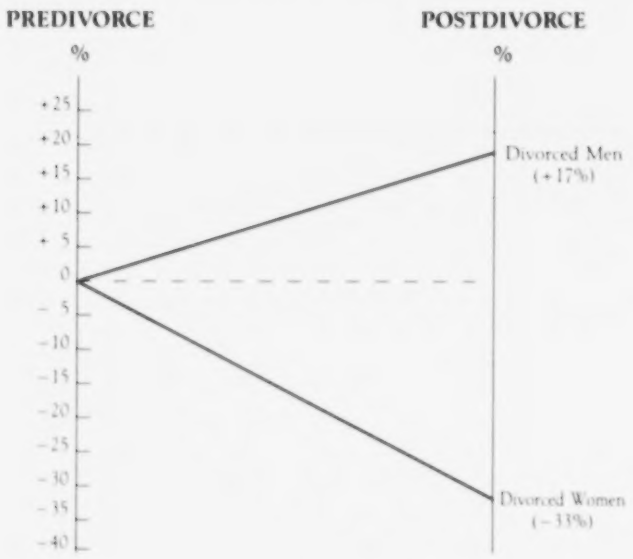
While the award of spousal maintenance recognizes a need for continued support, this "safety net" appears to be only an illusion for most women. Awards of short duration and low value assume that all women despite their circumstances can be quickly integrated and compete equally in the job market. However, the data reveals that nearly half of the women receiving spousal maintenance had no jobs at the time of divorce, no other income and some were of an age which would inhibit them from finding gainful employment.

ECONOMIC IMPLICATIONS OF DIVORCE

Divorce has substantially different economic consequences for men and women according to the study's findings. On average, men experienced an improved financial position following divorce while divorced women and the minor children faced radical downward mobility. The survey data indicates that on average, the per capita incomes of divorced men rose 17 percent while divorced women and children experienced a 33 percent drop in per capita income (see Figure A). 11/

Figure A - Percentage Change in Per Capita Income of Divorced Men and Women

FIGURE 1: PERCENTAGE CHANGE IN PER CAPITA INCOME OF DIVORCED MEN AND WOMEN



Other findings from the study, in part, explain such an outcome. Court awards for child support and spousal maintenance are inadequate. The amount awarded for children is insufficient to cover even half the cost of child care. Furthermore, support often goes uncollected. The study also documented that some women have long term financial needs, yet spousal maintenance awards are infrequently awarded, are of a short duration and for low amounts.

11/ Per capita incomes are used to account for the presence and economic impact of children on the family's income. The calculation of income includes all income of the family including support if it is paid and any earnings from a new spouse or partner. Support was deducted from family income if respondent indicated they were the obligor and that they paid the amount. Per capita income is derived by taking the total income and dividing it by the total number of people in the family. For example, a family of four with a combined income of $40,000 each adult and child would be considered to have a per capita income of $10,000.

Downward mobility of divorced women is aggrevated by many other factors within the legal process. Divorced women must settle for a less than equal share of the marital property, in part because many career assets are excluded from division and in part because that which is divided is done so unequally. The dissolution procedure may further exacerbate this inequity and also result in lower amounts of child support. A crisis in health care also arises for many families. Medical insurance often follows the major wage earner leaving many women and children without coverage or the replacement cost of insurance following divorce. Consequently, the affordability of health care often precludes anything other than emergency care and with it the fear of financial ruin.

The repercussion of domestic violence on the economic outcomes of divorced women must not be overlooked. Thirty-eight percent of the respondents indicated some form of violence - verbal to physical - occured in the relationship. Over half of these people, nearly all women, indicated they experienced undue pressure while attempting to reach a settlement. However, reported incidences of domestic violence are not typically integrated into the court's review of divorce cases. The court must often rely upon the divorcing parties to surrender such information if they believe it is pertinent to the case.

Women are further disadvantaged by pervasive societal and judicial misconceptions regarding women's equality, their employment opportunities and earnings ability. Divorce reform laws are based upon the notion that women have achieved equality of opportunity in the job market. However as the findings of this study suggest, on average, divorced women's wages equal only two-thirds of divorced men. While there have been noted strides in society to reduce the gender imbalance in occupations and disparities in income between men and women, women remain employed for the most part in sex segregated occupations that have a lower earning potential than men. Furthermore, parenthood has a financial cost. Women who become mothers experience a decline in their average earnings potential. 12/ Hardest hit by the myth of equality are older homemakers. Divorce reform does not value the role of homemaker and often expects women who have not worked outside the home to become self sufficient without the necessary financial support to be trained and mainstreamed, if possible, into the job market.

The findings of this study together with a growing body of research suggests that the lofty goals of divorce reform - to create less acrimony in the process and provide greater family equity - have in fact promoted economic hardship for women and children.

Legislative reform is necessary to correct some of the inequities identified in the study. The legislature is currently considering legislation spearheaded by the Alaska Women's Commission which requires greater judicial scrutiny of dissolution cases under certain conditions. The bill also expands the definition of marital property to include career assets.

12/ Waite, Haggstrom and Kanouse, "The Effects of Parenthood on Career Orientation and Job Characteristics of Young Adults", Social Forces, Vol. 65, No. 1, September 1986, pp 43-73.

Another contributing factor is the distribution of family income following divorce. As primary caretaker of children, divorced women who earn only one-third of the family's income must now support the family on 66 percent less income. Divorced men on the other hand, typically have the wealth of the family but fewer obligations placed on their income. Divorced men are asked only to relinquish at the very most, 15 percent of their income to support their children.

Table 13 further illustrates this disparity. At every income level with the exception of the very lowest, divorced men had higher per capita incomes than divorced women. The use of per capita income reveals the financial impact the presence of children has on the family income of divorced women. The data also suggests that women and children of middle and upper middle class families face the greatest relative deprivation. The discrepancy between divorced men's and women's per capita income is over 100 percent (184 percent vs. 60 percent) in cases where the pre-divorce family had income between $40,000-$50,000. Weitzman's research documented similar disparities between divorced men and women's per capita income. Her findings also revealed that women and children from middle and upper income families experienced the most rapid downward mobility.

TABLE 13 - MEDIAN POST DIVORCE PER CAPITA INCOMES OF FAMILIES*

Predivorce Annual Family Income	Predivorce Per Capita Family Income	Postdivorce Per Capita Income		Postdivorce Per Capita Income as % of Predivorce Family Per Capita Income	
		Wife	Husband	Wife	Husband
Under $30,000 (N=17)	$ 6,738	$ 8,043	$ 5,820	119%	86%
$30,000-39,000 (N=30)	11,832	9,300	9,576	79%	81%
$40,000-49,999 (N=20)	15,200	9,188	27,912	60%	184%
$50,000-59,999 (N=21)	19,200	12,750	30,000	66%	156%
$60,000 + (N=51)	32,844	19,800	30,000	60%	91%

* Post divorce per capita income includes all income of family, including any support paid and earnings from a new spouse or partner divided by the total number of people (adults and children) in the newly constituted family. Support was deducted from income if respondent indicated they were an obligor and that they paid the amount.

While further legislative proposals may be required to correct other inequities of divorce, better education for people affected by the law and those who administer it is also essential. Alaska allows people to fashion their own divorces without legal assistance, yet provides insufficient information for those people to make informed and equitable agreements. More attention must be paid to educating people through such methods as legal clinics and the development and use of video and written materials so that informed rather than ignorant decisions can be reached. The future economic security of thousands of people, particularly women and children, depend upon it.

Continuing legal education for judges and attorneys is also integral. The legal community must be informed about the economic disparities which exist in divorce and how their role may contribute to such consequences. Only then can they serve as agents of family equity in the divorce process.

APPENDIX

RESEARCH METHODOLOGY

The study is based on interviews of persons who legally terminated their marriages between July 1, 1984 and June 30, 1985. An interview process was considered necessary since there is no data available on the economic impact arising from divorce. Previous studies conducted in other states have examined court records to obtain economic data, however, their research indicates that the data is incomplete and unreliable for analysis purposes. A review of randomly selected court records from the Anchorage judicial district revealed similar shortcomings and was therefore rejected for use in analysis. Furthermore, court record data provides a "snapshot" of the parties' economic positions only at the point of divorce. Interviews were required to assess the outcomes of these decisions approximately one year after the divorce.

Anchorage was selected as the study area. Over one half of all Alaskan divorces occur annually within the municipality. Its demographic profile of divorce cases also generally reflects the statewide profile.

Anchorage was also selected because of its volunteer resources. The project design required extensive use of volunteers for data collection and interviewing. The municipality's well organized volunteer network and university setting provided the Commission with sufficient members of well-trained personnel. In total, about 300 hours were contributed toward the completion of the research.

Sample design

Previous research suggests that divorce may have a different economic impact on men than on women. In addition to that, our understanding of the Alaskan system suggested that differences may exist between those individuals who go through a traditional divorce process and those who choose dissolution.

The sample design was determined by the need to test the following hypotheses:

H_1: There are statistically significant differences in the impact of divorce and dissolution.

H_2: There are statistically significant differences in the impact of divorce/dissolution on men and women.

H_3: There are statistically significant differences in the impact of divorce and dissolution on men.

H_4: There are statistically significant differences in the impact of divorce and dissolution on women.

These hypotheses suggest that both gender and the type of marriage termination may have an effect on individuals and their economic conditions. The sample was, therefore, stratified by gender and type of marriage termination

utilizing a disproportionate stratified sampling technique. Disproportionate stratified samples are very effective for group comparisons and are extensively used in social sciences and business research when between group comparisons are necessary. The sample was built as follows:

	Male	Female
Divorce	50	50
Dissolution	50	50
Total	100	100

We sought to interview 50 in each cell in order to make comparisons and draw conclusions through the use of a variety of statistical techniques, like Analysis of Variance which is robust enough to allow comparisons with samples of this size.

Sample Selection - A list of 310 dissolution and 545 divorce cases were randomly selected from court records. To obtain a sample that was evenly divided by sex, the wife was randomly chosen as respondent in half the cases and the husband as respondent in the other half. Letters were mailed from the Alaska Women's Commission office asking for participation. A reply card was included. As cards came back, participants were contacted by phone and interview appointments were scheduled.

A low response rate necessitated 2 supplementary mailings, phone calls to non-respondents and an incentive for respondents. In addition, another 540 dissolution cases were randomly selected from the court records. Two mailings were also sent out to this group.

The following table reports a breakdown of the mailings outcome:

	Dissolution	Divorce
Total Mailings	850	545
Undeliverables	42%	38%
Second mailing	55%	55%
Third mailing	18%	29% *
Participants	13% (66/492)	21% (73/337)

* Sent only to men

On hundred thirty nine people agreed to be interviewed. A variety of explanations can be offered for this outcome:

1) In mail surveys it is quite common to have 10% of mailings undeliverable. In this case the undeliverables were far greater than was expected (41%). None of the previous studies on divorce had a similar result. This may be an indication that the Alaskan population is substantially different from populations of other states.

2) There are inherent difficulties in reaching individuals who have gone through divorce. Previous studies have indicated that this is a "hard to reach" population; there is a tendency to relocate quickly, not leaving forwarding addresses.

Other studies on the subject suggested to oversample by a factor of 3 to overcome the problem of low participation. In our case, we oversampled by a factor of 8.5 in dissolution, and a factor of 5.4 in the case of divorce. A larger initial mailing was deemed necessary for dissolution cases as they were perceived to be a harder to reach subsample. Despite our concerted effort both the dissolution and divorce subsamples were smaller than projected.

3) The subject matter may be too sensitive or not appealing enough to entice people to participate. Many studies in the social sciences have shown a direct relationship between the sensitivity of the subject matter and willingness to participate.

Interviews

Interviews were conducted in person or by phone. An interview outline was followed. One hour was allocated for each interview. Although the number of interviews fell short of our desired sample size, the respondents were highly cooperative and provided complete detail of their economic situations both at the time of divorce as well as their present circumstances.

The following is the group distribution of interviews conducted:

	Male	Female	Total
Divorce	34	39	73
Dissolution	31	35	66
Total	65	74	139

Profile of Respondents

Our sample is somewhat different from the Anchorage population of divorce and dissolution cases. The subject matter tended to attract older, better educated, and higher income respondents than the general population. The largest concentration of respondents were people between the ages of 25 and 44, while younger cases were not as well represented. The respondents -- because slightly older -- were married longer than the actual population (2.5 years longer). The majority of the sample was also White, while only 79 percent of the divorces in Anchorage involve Whites. The respondents' family size was slightly larger than the population (1.5 minors vs. .83 for the population).

The main conclusion we can draw from this comparison is that the sample is slightly skewed. However, the data is not invalid. The study is internally valid and as an exploratory study on the economic consequences of divorce, it has met our goal. Future expansion of the data base would be beneficial to gain a greater understanding of the influence of various economic factors on subgroups of the population. Yet, it is important to note that the study's findings indicate that even when overrepresented by respondents of higher socio-economic status -- women's economic conditions worsen after divorce.

PROFILE OF SURVEY RESPONDENTS

(Sample Drawn From Anchorage Divorce Cases)

Age (139)	
18-24	1%
25-34	33
35-44	43
45-54	16
55-64	5
65+	1
Race (139)	
White	95%
Black	1
AK Native	1
Other	2
Education (139)	
High school	22%
College	67
Post grad work	11
Length of Marriage (139)	
Mean	9.5 years
Median	7 years
Gender (139)	
Male	47%
Female	53%
Minor children present in the marriage (80)	
Mean	1.5 children
Total number of children during marriage (85)	
Mean	1.9 children
Total household size during marriage (139)	
Mean	3.4 people
Median	3 people
Minors living with respondent after divorce (52)	
Mean	1.5 children
Total household size after divorce (138)	
Mean	2.2 people
Median	2 people

PROFILE OF ALL ANCHORAGE DIVORCE CASES FROM SURVEY PERIOD

Age

18-24	10%
25-34	47
35-44	30
45-54	10
55 +	3

Race

White	86%
Native	4
Black	6
Other	3

Education

0 - 8	2%
High school	54
College	38
Post Graduate Work	6

Length of Marriage

Median	6.8 years

Minor children present in the marriage

Mean	.83 children

Total household size during marriage

Mean	2.8 people
Median	3 people

ALASKA WOMEN'S COMMISSION
3601 "C" STREET, SUITE 742
ANCHORAGE, AK 99503

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